

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2009-317-T - ORDER NO. 2009-779  
NOVEMBER 5, 2009

IN RE: Checker Yellow Cab Company, Inc.'s	)	ORDER DISMISSING
Petition for a Rule to Show Cause as to Why	)	MOTION FOR DEFAULT
Thomas C. Ard d/b/a Ard's Airport Shuttle	)	JUDGMENT AGAINST
Service and Ray Charles Jones, Sr. d/b/a	)	ARD'S AIRPORT
BestWay Shuttle Service Should Not Have	)	SHUTTLE SERVICE AND
Their Certificates Revoked	)	HOLDING THE MOTION
	)	IN ABEYANCE FOR TEN
	)	(10) DAYS AGAINST
	)	BESTWAY SHUTTLE
	)	SERVICE

This matter comes before the Public Service Commission of South Carolina (“Commission”) on a petition filed by Checker Yellow Cab Company, Inc. (“Checker”) seeking to have the Certificates of Public Convenience and Necessity of Thomas C. Ard d/b/a Ard's Airport Shuttle Service (“Ard’s Shuttle”) and Ray Charles Jones, Sr. d/b/a BestWay Shuttle Service (“BestWay”) revoked. According to the petition, Ard’s Shuttle and BestWay are certificated as Class C Charter Limousines, as defined by 26 S.C. Code Ann. Regs. 103-102(15) (Supp. 2008), but are operating as Class C Taxis under 26 S.C. Code Ann. 103-102(28). As a result, Checker alleges Ard’s Shuttle and BestWay are gaining an unlawful competitive advantage by circumventing the Commission’s more costly insurance and inspection regulations that apply to taxis as well as other rules and regulations outside of the Commission’s jurisdiction.

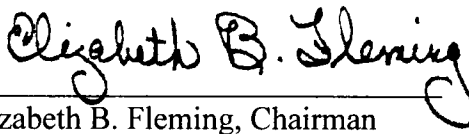
On August 7, 2009, Notice was sent to the parties, informing Ard’s Shuttle and BestWay that they had thirty days to respond to the allegations of Checker’s petition. On

September 25, 2009, Checker submitted a Motion for Default Judgment, asserting that no response was made during the allotted time and asking the Commission to grant the relief sought in its petition by revoking Ard's Shuttle's and BestWay's Certificates. Ard's Shuttle filed its response on October 5, 2009.

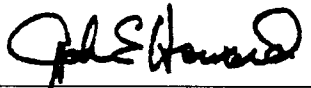
We find and Order that the Motion for Default Judgment against Thomas C. Ard d/b/a Ard's Airport Shuttle Service should be and is dismissed, since Ard's has filed a response. The Motion for Default Judgment against Ray Charles Jones, Sr. d/b/a BestWay Shuttle Service is held in abeyance for ten (10) days from receipt of this Order to provide opportunity for it to respond.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
John E. Howard, Vice Chairman  
(SEAL)